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7 Counsel for Debtors

8 **UNITED STATES BANKRUPTCY COURT**  
9 **DISTRICT OF ARIZONA**

10 In re

11 BROOKS JOEL EDEN  
12 NATALIE JEAN EDEN,

13 Debtors.

Case No. 3:12-bk-19862-GBN

14 **MOTION FOR VALUATION**  
15 **OF COLLATERAL**  
16 **AND**  
17 **DETERMINATION OF**  
18 **SECURED STATUS**

19 The Debtors, by and through undersigned counsel, pursuant to 11 U.S.C. §506 and  
20 Federal Rules of Bankruptcy Procedure, Rules 3012 and 3013, hereby move this Court for  
21 its order determining the value of Debtors' interest in the property located at 17721 W.  
22 Voltaire St., Surprise, Arizona 85282 to be \$175,000.00, as indicated in Debtors' Schedules.  
23 Debtors' used Debtors' estimate and comparable sales to determine the value of the  
24 collateral indicated in Debtors' Schedules.

25 The secured balance owed to the first lien holder is \$308,728.00. Based on the above  
26 indicated value, it is believed that the value of the Debtors' interest in the property located at  
17721 W. Voltaire St., Surprise, Arizona 85282 is less than the amount owed to the first lien  
holder. Accordingly, pursuant to *In re Zimmer*, 313 F.3d 1220 (9<sup>th</sup> Cir., 2002), Debtors

1 further request that the Court determine Sarah Ann Ranch Homeowners Association's claim  
2 to be fully unsecured and to be treated as such in Debtors' Chapter 13 plan.

3 For all the foregoing reasons, Debtors' respectfully request their Motion be granted  
4 and an Order be entered by this Court determining the value of the collateral and  
5 classification of junior lien holder's claim as indicated herein. Debtors further request that  
6 upon successful completion of the Debtors' Chapter 13 plan, the Debtors be allowed to  
7 request an Order extinguishing the liens held by Sarah Ann Ranch Homeowners  
8 Association.  
9

10 RESPECTFULLY SUBMITTED this 6th day of May, 2013.

11  
12 DECKER HOLLAND, PLLC

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14 By: /s/ Jared E. Holland  
15 Jared E. Holland  
16 Counsel for Debtors  
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One copy of the foregoing was  
mailed this 6th day of May, 2013 to:

Edward J. Maney, Trustee  
101 North First Avenue, Suite 1775  
Phoenix, Arizona 85003

U.S. Trustee's Office  
230 N. First Ave., Ste. 204  
Phoenix, AZ 85003

Chad P. Miesen, Esq.  
CARPENTER, HAZELWOOD, DELGADO & BOLEN, PLC  
1400 East Southern Avenue, Suite 400  
Tempe, Arizona 85282

***Via Certified Mail, Return Receipt Requested***

President/Managing or General Agent  
Sarah Ann Ranch Homeowners Association  
C/O AAM, LLC  
1600 W BROADWAY RD STE 200  
TEMPE, AZ 85282

***Via Certified Mail, Return Receipt Requested***

LAURA ZIFF  
Statutory Agent for Sarah Ann Ranch Homeowners Association  
C/O AAM, LLC  
1600 W BROADWAY RD STE 200  
TEMPE, AZ 85282

***Via Certified Mail, Return Receipt Requested***

By: /s/ Jared E. Holland  
Jared E. Holland